

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division

CHARLES CURRY and  
KENDRA CURRY,

Civil Action No: 3:08cv623

Plaintiffs,

vs.

WELLS FARGO BANK c/o  
OPTION ONE MORTGAGE CORPORATION,

and

AMERICAN HOME MORTGAGE SERVICING, INC.,

and

EXPERIAN INFORMATION SOLUTIONS, INC.,

and

EQUIFAX INFORMATION SERVICES, LLC.

Defendants.

**MOTION TO DISMISS OF AMERICAN HOME MORTGAGE SERVICING, INC.**

Defendant American Home Mortgage Servicing, Inc. ("American"), by counsel, pursuant to Rule 12(b)(6) of the Federal Rules Of Civil Procedure, does hereby move this Court for an Order dismissing it as a Defendant in this matter with prejudice on the grounds that the Complaint filed herein fails to state a claim for which relief can be granted against American for the reasons stated in the accompanying Memorandum in Support of Motion to Dismiss.

Respectfully submitted,  
AMERICAN HOME MORTGAGE  
SERVICING, INC.,

By: /s/  
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Home Mortgage Servicing, Inc.  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 3<sup>rd</sup> day of November, 2008, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

Robin A. Abbott, Esquire  
Gary L. Abbott, Esquire  
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/s/  
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